

REMARKS

Claims 1-8 are pending. No amendments have been made by way of the present submission, thus, no new matter has been added.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Issues under 35 U.S.C. §103(a)

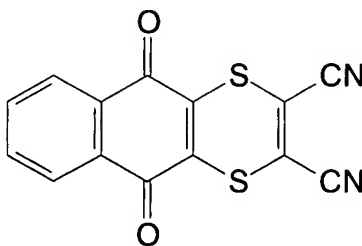
The Examiner has rejected claims 1-8 under 35 U.S.C. §103(a) as being obvious over Sachse et al. (DE 3609645). Applicants respectfully traverse this rejection.

As a preliminary matter, Applicants provide herewith an English language equivalent of DE '645, which is AU-A-70426/87. The Examiner is respectfully requested to carefully review this attached article since it provides a complete English version of the cited reference.

The Present Invention and its Advantages

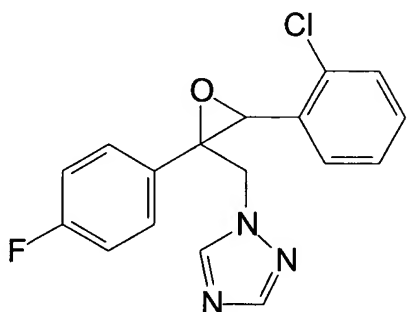
Independent claim 1 of the present invention relates to a fungicidal mixture, comprising:

A) the compound of the formula I

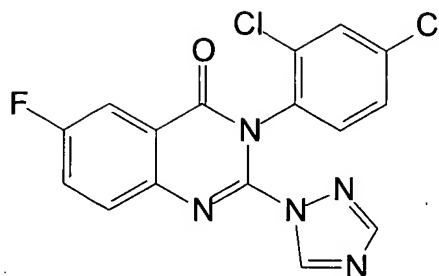


and

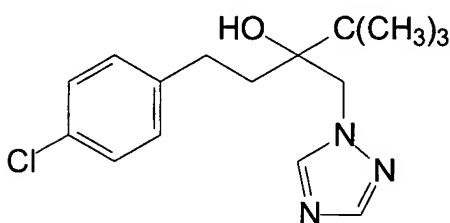
B) at least one compound II selected from the compounds II-2, II-3, II-4 and II-7



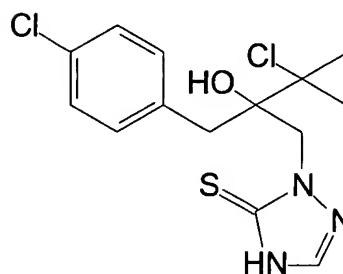
II-2



II-3



II-4



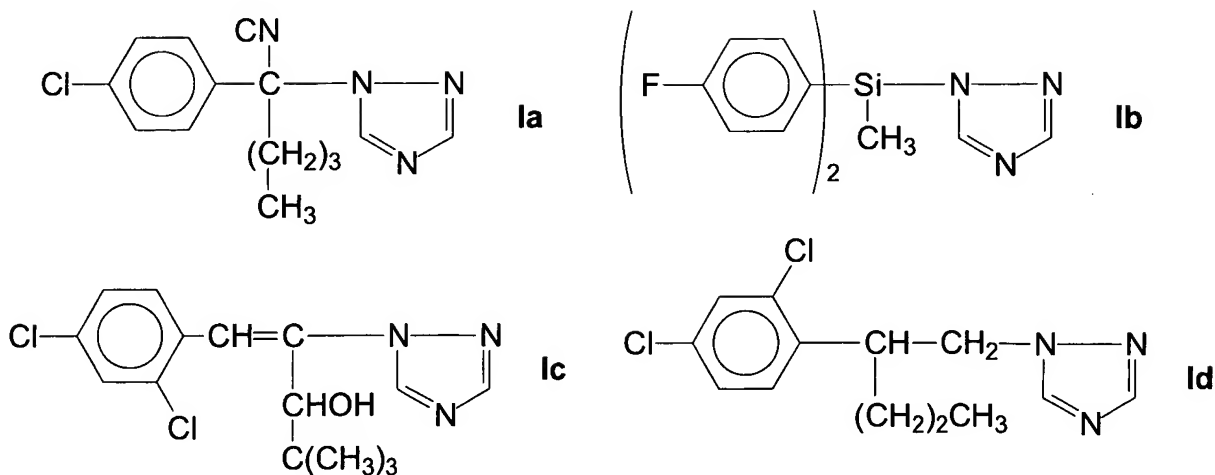
II-7

in a synergistically effective amount. A review of the claims reveals that a very specific combination of compounds must be present in the inventive fungicidal mixture. Also, such a mixture, in addition to being novel and non-obvious, achieves unexpectedly superior properties. These properties are in fact synergistic since the combined compounds achieve better results than would be additively expected from the individual compounds when employed as a fungicide.

Distinctions Between the Present Invention and the Cited Art

Applicants submit that based upon a review of the cited art (including review of the attached reference, which corresponds to DE '645), there exists no motivation to prepare a fungicidal mixture comprising a compound of the formula I of the present invention and at least one compound II selected from the group consisting of compounds II-2, II-3, II-4 and II-7.

The disclosure of DE '645 simply discloses preparing a fungicidal composition containing one of the following four active compounds:



Additionally, DE '645 contains a disclosure indicating that one of the above four compounds is to be combined with another fungicide. The other fungicide is one of a myriad of fungicides disclosed at page 1, line 23 to page 4, line 13 of the corresponding AU publication. One of these many fungicides, which number over 100, is dithianon.

Based upon this generic disclosure, the Examiner's basic argument (see page 4, lines 1-3 of the outstanding Office Action) is that:

(1) DE '645 discloses four specific azole fungicides, which are completely different from the specific azole fungicides currently claimed,

(2) DE '645 discloses that such specific azole fungicides may be combined with other fungicides (DE '645 provides an enormous list of such "other" fungicides, one of which is dithianon),

(3) therefore, it would have allegedly been obvious to one of skill in the art to prepare additional beneficial synergistic combinations of dithianon and "any triazole fungicide" with the expectation of synergism between these two classes of fungicides.

Applicants respectfully submit that the Examiner's rejection is improper. This is due to the fact that there exists neither factual nor legal basis for the Examiner's rejection. Although DE '645 discloses azole fungicides, these are four very specific azole compounds, none of which fall within the scope of the present claims (for instance, see the four compounds above, which do not fall within the scope of compounds II according to the present invention). Moreover, DE '645 simply contains an assertion that such azole fungicides may be combined with other fungicides and then goes on to provide a laundry list of such "other" fungicides, for instance, see the list compiled starting at page 1, line 23 and ending at page 4, line 13 (reference made to AU specification). This enormous list of "other" fungicides provided by DE '645 simply covers all main fungicides on the market, only one of which is dithianon.

Applicants remind the Examiner that the fact that a claimed product is within the broad field of the prior art and one might arrive at it by selecting specific items and conditions does not render the product obvious in the absence of some directions or reasons for making such selection. Ex parte Kuhn, 132 USPQ 359 (POBA 1961). Similarly, a compound within the scope of a generic formula which encompasses more than 100 million compounds cannot render a product obvious absent some direction or reasons for selecting the substituents required to arrive at the compound. In re Baird, 29 USPQ2d 1550, 16 F.2d 380 (Fed. Cir. 1994).

However, in the present instance, the Examiner is actually attempting to broaden the disclosure of DE '645. For instance, the Examiner takes the disclosure of 4 specific fungicides of DE '645 and broaden it to a hypothetical teaching that "any triazole fungicide" (not just the 4 listed by DE '645), would be combined with dithianon. However, there exists absolutely no motivation to arrive at such a combination of fungicides. The Examiner simply asserts that it

would have been obvious to select dithianon from the list of fungicides to be combined with the specific azole fungicides of DE '645, and then ignore the specific teaching concerning the four specific azole fungicides of DE '645 and substitute with those with "any triazole fungicides", for instance, the particular compounds required by the present invention. Further, such a combination would be expected to exhibit synergism as alleged by the Examiner, see page 4, lines 5-6 of the outstanding Office Action.

Such a rejection is groundless and in fact, even ignores teachings in DE '645 that would indicate that not all combinations of fungicides would result in synergism. For instance, Applicants direct the Examiner's attention to the disclosure in DE '645 that the "fungicidal activity of the abovementioned compounds is not completely satisfactory in all cases." See page 4, lines 1-2 of the corresponding AU publication. In fact, DE '645 never tests the presently claimed mixture and thus cannot suggest that such a mixture be prepared, much less be prepared with an expectation of achieving synergism. To believe otherwise, such as done by the Examiner, amounts to pure hindsight reconstruction or "obvious to try" and is improper. "Obvious to try" is not a valid test of patentability. *Id.*, see also *In re Mercier*, 185 U.S.P.Q. 774 (CCPA 1975); *Hybridtech Inc. v. Monoclonal Antibodies*, 231 U.S.P.Q. 81 (Fed. Cir. 1986).

Applicants further note that at page 4 of the outstanding Office Action the Examiner mentions EP 0 526 206. The Examiner recognizes that this document relates to different azole compounds, which do not fall within the scope of the present claims. The Examiner therefore concludes that the "prior art does not teach synergistic mixture of fungicidal combinations of dithianon (A) and azole derivatives (B) as presently claimed." Applicants submit that this assertion of the Examiner is equally applicable to the above citation of DE '645.


In summary, Applicants submit that there exists no *prima facie* case of obviousness. Based upon the above, Applicants respectfully submit that the present claims define allowable subject matter. Accordingly, the Examiner is respectfully requested to withdrawal all rejections and allow the currently pending claims.

If the Examiner has any questions or comments, please contact Craig A. McRobbie, Registration No 42,874 at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: June 21, 2006

Respectfully submitted,

f By  #42,874
Andrew D. Meikle
Registration No.: 32,868
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment: AU-A-70426/87

(12) AUSTRALIAN PATENT ABSTRACT

(19) AU

(11) AU-A-70426/87

(54) SYNERGISTIC FUNGICIDAL COMPOSITIONS OF AN ARALKYL
SUBSTITUTED TRIAZOLE

(71) HOECHST AKTIENGESELLSCHAFT

(21) 70426/87 (22) 20.3.87 (24) 21.3.86

(31) 3609645 (32) 21.3.86 (33) DE

(43) 24.9.87

(51)⁴ A01N 43/653 A01N 55/00 A01N 57/16 A01N 39/00
A01N 55/04 A01N 47/42 A01N 47/44 A01N 59/02
A01N 43/32

(72) BURKHARD SACHSE AND BERNHARD SCHREIBER

(74) WM

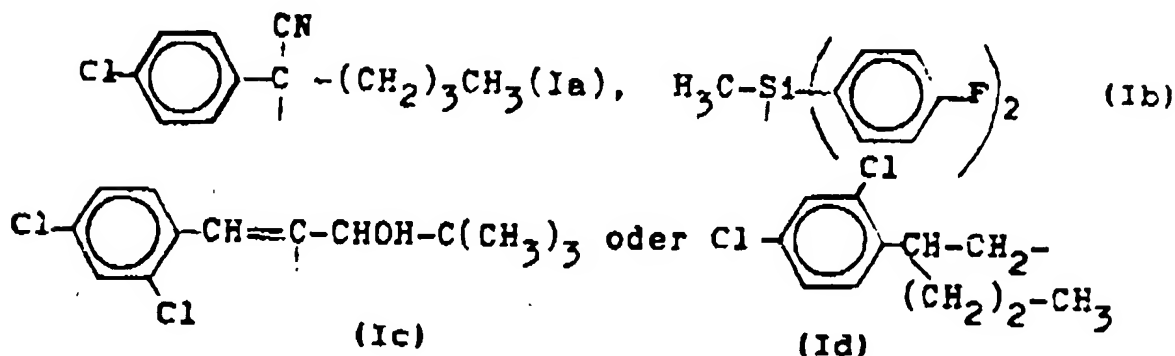
(57) Claim

1. A fungicidal composition which contains an active compound
of the formula :



in which

R denotes a radical of the formulae Ia to Id:



in combination with another fungicide selected from the group comprising pyrazophos, binapacryl, fentin acetate, fentin hydroxide, ethirimol, dimethirimol, bupirimat, guazatine, sulfur, dithianon and dodine.

2. A fungicidal composition as claimed in claim 1,
which contains a combination of the active compounds
myclobutanil and pyrazophos.

4. Method of combating harmful fungi, which comprises
applying an effective amount of a composition as claimed in
claims 1 to 3 to the plants or their cultivation areas.

COMPLETE SPECIFICATION

(ORIGINAL)

Application Number:
Lodged:

70426/87

Class

Int. Class

Complete Specification Lodged:
Accepted:
Published:

Priority:

Related Art:

Name of Applicant:

HOECHST AKTIENGESELLSCHAFT

Address of Applicant:

45 Bruningstrasse, D-6230 Frankfurt/Main, Federal
Republic of Germany.

Actual Inventor:

BURKHARD SACHSE and BERNHARD SCHREIBER.

Address for Service:

EDWD. WATERS & SONS,
50 QUEEN STREET, MELBOURNE, AUSTRALIA, 3000.

Complete Specification for the invention entitled:

FUNGICIDAL AGENTS BASED ON TRIAZOLE DERIVATIVES

The following statement is a full description of this invention, including the best method of performing it known to :-

U

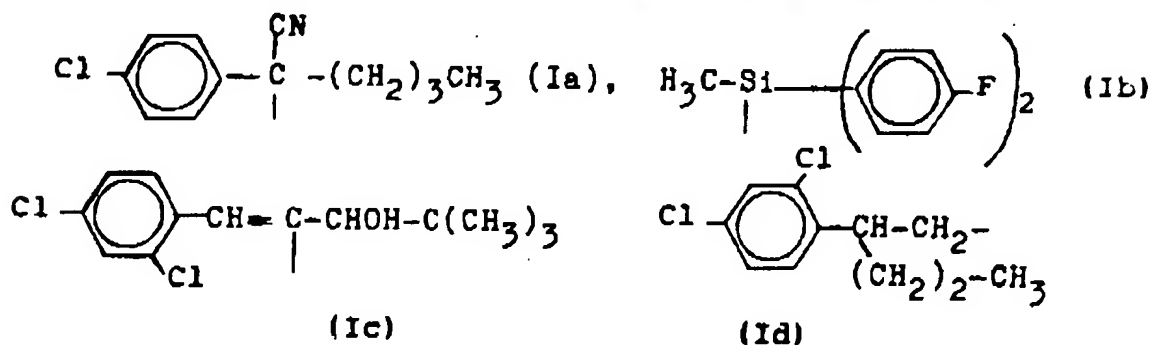
Fungicidal agents based on triazole derivatives

The present invention relates to fungicidal agents which contain a triazole compound of the formula (I)



5 in which

R denotes a radical of the following formulae Ia to Id



... in combination with another fungicide.

- 10 The compounds of the formula I have the following common names or code designations: compound I with the radical (Ia): myclobutanil, in this context see U.S. Patent 4,366,165; European Patent A-145,294; compound I with the radical (Ib): DPX-6573, in this context see Agricultural Chem. New Product Development Review, Volume III 1985, compound I with the radical (Ic): S-3308; see German Patent A-3,010,560; compound I with the radical (Id): penconazole, see Gesunde Pflanzen, Volume 37 (2), page 537 (1985).

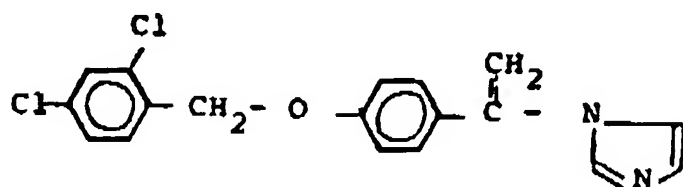
- 20 The following products may be mentioned as fungicides which can be combined according to the invention with the compounds of the formula I:

imazalil, prochloraz, fenapanil, SSF105, triflumizol,

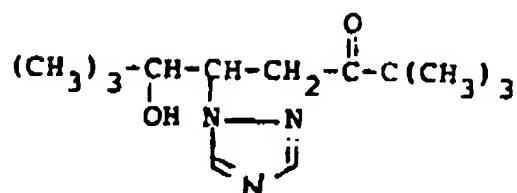
PP969, flutriafol, BAY-MEB 6401, propiconazol, etaconazol, diclobutrazol, bitertanol, triadimefon, triadimenol, fluo-
trimazol, tridemorph, dodemorph, fenpropimorph, falimorph,
S-32165, chlobenzthiazole, parinol, buthiobat, fenpropidin,
5 triforine, fenarimol, nuarimol, triarimol, ethirimol,
dimethirimol, bupirimate, rabenzazole, tricyclazole, ofu-
race, furalaxyl, benalaxyl, metalaxyl, pentyuron, oxadixyl,
cyprofuram, dichlomezin, probenazole, fluobenzimine,
pyroxyfur, NK-483, PP-389, pyroquilon, hymexazole,
10 fenitropan, UHF-8227, tolclofosmethyl, ditalimfos, edi-
fenphos, pyrazophos, isoprothiolane, cymoxanil, dichlor-
uanid, captafol, captan, folpet, tolylfluand, chloro-
thalonil, etridiazol, iprodione, procymidon, vinclozolin,
metomeclan, myclozolin, dichlozolate, fluorimide,
15 drazoxolon, quinomethionate, nitrothalisopropyl, dithia-
non, dinocap, binapacryl, fentin acetate, fentin hydroxide,
carboxin, oxycarboxin, pyracarbolid, methfuroxam, fenfuram,
furmecyclox, benodanil, mebenil, mepronil, flutolanil,
fuberidazole, thiabendazole, carbendazim, benomyl, thio-
20 fanate, thiofanate-methyl, CGD-94240f, IKF-1216, mancozeb,
maneb, zineb, nabam, thiram, probineb, prothiocarb, pro-
pamocarb, dodine, guazatine, dicloran, quintozone, chloro-
neb, tecnazene, biphenyl, anilazine, 2-phenylphenol,
copper compounds, such as Cu oxychloride, oxine-Cu and Cu
25 oxides, sulfur, fosetyl-aluminum, sodium dodecylbenzene-
sulfonate, sodium dodecyl-sulfate, sodium C13/C15-alcohol
ether-sulfonate, sodium cetostearyl phosphate, dioctyl
sodium sulfosuccinate, sodium isopropyl-naphthalene
sulfonate, sodium methylenebisnaphthalene sulfonate, cetyl
30 trimethyl-ammonium chloride, salts of long-chain primary,
secondary or tertiary amines, alkyl-propyleneamines,
lauryl-pyridinium bromide, ethoxylated quaternized fatty
amines, alkyl-dimethyl-benzyl-ammonium chlorides and 1-
hydroxyethyl-2-alkyl-imidazolines.

35 The compounds of the formula I and the combination part-
ners mentioned are all known active compounds, most of
which are described in CH. R. Worthing and S.B. Walker,

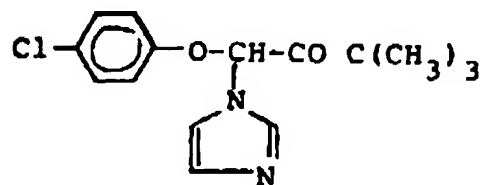
The Pesticide Manual, 7th edition (1983), British Crop Protection Council. Compounds for which number codes are given have the following structures



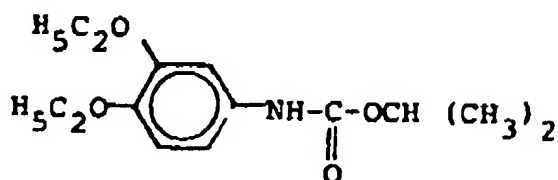
SS F 105



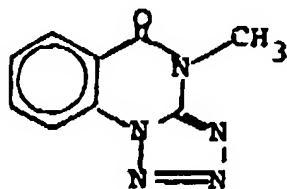
PP 969



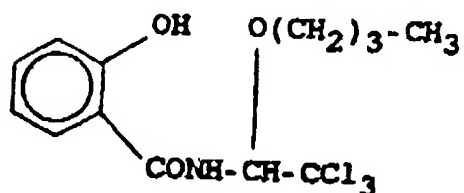
Bay-Meb
6401



S - 32165



PP - 389



NK - 483

The fungicidal activity of the abovementioned compounds is not completely satisfactory in all cases.

Fungicidal combinations of pyrazophos are known from German Offenlegungsschrift 3,223,825 and German Offenlegungsschrift 3,242,646. It has now been found that the new active compound combinations have a particularly good fungicidal action.

The fungicidal action of the active compound combinations according to the invention is unexpectedly higher than the sum of the actions of the individual components calculated by the so-called Colby formula, c.f. S.R. Colby, Weeds 15, 20-22 (1967). The active compound combinations thus exhibit synergistic effects.

The weight ratios of the groups of active compounds in the active compound combinations can vary within relatively wide limits. In general, 0.0005 to 10 parts by weight of active compound, preferably 0.001 to 2.5 parts by weight of the combination partner, are present per part by weight of the formula I.

Of the compounds of the formula I, the compound Ia is of particular interest.

Of the combination partners mentioned for the compounds of the formula I, the compounds pyrazophos, binapacryl, fentin acetate, fentin hydroxide, ethirimol, dimethirimol, bupirimat, guazatine, sulfur, dithianon and dodine, especially pyrazophos, are of particular importance.

The active compound combinations according to the invention have a potent biocidal action and can therefore advantageously be employed for combating microorganisms, in particular in plant protection. The good plant tolerance of the active compounds in the concentrations required for combating plant diseases enable above-ground parts of

plants, plants and seed and the soil to be treated.

The active compound combinations according to the invention have a very broad action spectrum and can be used against parasitic fungi which affect above-ground parts
5 of plants or attack the plants from the soil.

The active compound combinations according to the invention exhibit an excellent action as seed dressing agents against phytopathogenic fungi, such as, for example, *Tilletia*, *Urocystis*, *Ustilago*, *Septoria*, *Typhula*, *Rhynchosporium*, *Helminthosporium* and *Fusarium* species.
10

They can also be used as combating agents in the soil for combating phytopathogenic fungi which cause root rot and tracheomycoses, such as, for example, pathogens of the genera *Pythium*, *Verticillium*, *Phialophora*, *Rhizoctonia*, *Fusarium* and *Thielaviopsis*.
15

On direct application of the active compound combinations to the above-ground parts of plants it is possible to achieve outstanding control of a large number of economically important pathogens, such as, for example, powdery mildew fungi (*Erysiphe*, *Uncinula*, *Sphaerotheca*, *Podosphaera* species, and *Leveillula taurica*), rust fungi, *Venturia* species, *Cercospora* species, *Alternaria* species, *Botrytis* species, *Phytophthora* species, *Peronospora* species, *Pyricularia oryzae* and *Pellicularia sasakii*.
20

The active compound combinations can be used as wettable powders, emulsifiable concentrates, solutions for spraying, dusting agents, dressings, dispersions, granules or microgranules in the customary formulations.
25

Wettable powders are understood as preparations which are uniformly dispersible in water and which, in addition to the active compound, and if appropriate apart from a diluent or inert substance, also contain wetting agents,
30

for example polyoxyethylated alkylphenols, polyoxyethylated fatty alcohols or alkyl- or alkylphenylsulfonates, and dispersing agents, for example sodium lignin-sulfonate, sodium 2,2'-dinaphthylmethane-6,6'-disulfonate, sodium dibutylnaphthalenesulfonate or sodium oleoyl-methyl-
5 tauride. They are prepared in the customary manner, for example by grinding and mixing the components.

Wettable powders are preparation which are uniformly dispersible in water and which, in addition to the active substance, a diluent or an inert substance also contain a wetting agent,
10 for example polyoxyethylated alkylphenols, polyoxyethylated fatty alcohols, alkyl- or alkylphenolsulfonate and dispersants, for example sodium ligninsulfonate, sodium 2,2'-dinaphthylmethane-6,6'-disulfonate, sodium dibutylnaphthalene-sulfonate
15 or sodium oleylmethyltaurate.

Emulsifiable concentrates are prepared by dissolving the active compound in an organic solvent, for example butanol, cyclohexanone, dimethylformamide, xylene or higher-boiling aromatics or hydrocarbons, with the addition of one or more
20 emulsifiers. Examples of emulsifiers which can be used are: calcium alkylarylsulfonates, such as Ca dodecyl-benzene-sulfonate, or nonionic emulsifiers, such as fatty acid polyglycol esters, alkylaryl polyglycol ethers, fatty alcohol polyglycol ethers, propylene oxide/ethylene oxide condensation products, alkyl polyethers, sorbitan fatty acid esters,
25 esters, polyoxyethylene sorbitan fatty acid esters or polyoxyethylene sorbitol esters.

Dusting agents are obtained by grinding the active compound with finely divided solid substances, for example talc or
30 natural clays, such as kaolin, bentonite, poryphillite or diatomaceous earth. Granules can be prepared either by spraying the active compound onto an adsorbent granular inert material or by applying active compound concentrates to the surface of carriers, such as sand or kaolinites, or of a
35 granular inert material by means of adhesives, for example

polyvinyl alcohol, sodium polyacrylate or mineral oils. Suitable active compounds can also be formulated in the manner customary for the preparation of fertilizer granules - if desired as a mixture with fertilizers.

5 The active compound concentration of both active compounds in wettable powders is about 10 to 90% by weight; the remainder to make up to 100% by weight consists of customary formulation constituents. In the case of emulsifiable concentrates, the active compound concentration of the two
10 active compounds can be about 10 to 80% by weight. Dust-like formulations usually contain 5 to 20% by weight of the active compounds, and sprayable solutions about 1 to 20% by weight. The active compound content of granules depends partly on whether the active compound is in the
15 liquid or solid form and on what granulation auxiliaries, fillers and the like are used.

The active compound formulations mentioned also contain, if appropriate, the particular customary adhesives, wetting agents, dispersing agents, emulsifiers, penetration
20 agents, solvents, fillers or carriers.

For use, the concentrates in the commercially available form are diluted in the customary manner, if appropriate, for example by means of water in the case of wettable powders, emulsifiable concentrates, dispersions and sometimes also microgranules. Dust-like and granular formulations and sprayable solutions are usually not further
25 diluted with additional inert substances before use.

Mixtures or mixed formulations with other active compounds, such as, for example, insecticides, acaricides, herbicides,
30 fertilizers and growth regulators, are possible, where appropriate.

The application amounts required for the active compound combinations can vary within wide limits depending on the

indication, and also vary as a function of the external conditions, such as soil conditions and climate conditions. In general, however, they are between 0.01 and 10 kg of active compound/ha, and in particular the application amounts vary between 0.15 and 0.5 kg/ha.

The following examples serve to illustrate the invention.

Biological Examples

Example 1

Crossed strips test (method in J. Gen. Microbiol. 126 (1981), pages 1-7) in Petri dishes.

- 5 Synergistic relationships between different active compounds can be determined in an in vitro experiment by the so-called crossed strips test.

Strips of filter paper (10 mm wide and 90 mm long) are uniformly wetted with the formulated active compounds 1

- 10 and the combination partner in various concentrations (about 200 µl/strip) and are placed on an agar medium which varies according to the species of fungus. 0.5 ml of a suspension culture of the test organism (about $10^5 - 10^6$ conidia/1 ml) per Petri dish has first been added
15 to the agar in the still liquid state. Each Petri dish contains a strip of filter paper with the compound 1 (myclobutanil) and at right angles to this a second strip with the combination partner (pyrazophos). The active compound combinations are chosen by appropriate preliminary
20 experiments with the individual components so that they correspond to the so-called minimum inhibitory concentration with respect to the test organism in question. After incubation of the Petri dishes at 22-25°C for 3 - 4
25 days, the inhibition zones are measured diametrically in the region of the crossed test strips and the inhibitory zone is evaluated as a measure of the synergism.

Table 1

Crossed strips test

Test object: *Piricularia oryzae*

Active compounds or combinations	Concentration	Inhibitory zones
	of active compound ppm	in mm (without paper strips)
5	Myclobutanil (Ib)	
	2000	46
	1000	30
10	60	0
	Pyrazophos (II)	
	1000	8
	250	0
	125	0
15	Combination of Ib + II	
	2000 + 250	54
	2000 + 125	54
	1000 + 125	45
	60 + 1000	16

Example 2

Barley plants in the 3-leaf stage were treated with the individual active compounds and active compound combinations shown in Table 2. After the coating of active compound had dried on, the plants were heavily inoculated with conidia of barley mildew (*Erysiphe graminis* sp. hordei) and were placed in a greenhouse at 20°C and a relative atmospheric humidity of about 80%. After an incubation period of 10 days, the infection with barley mildew was investigated.

The degree of infection is expressed in % of infected leaf area, based on the untreated infected control plants (= 100% infection).

The results were evaluated by the formula of S.R. Colby

(Weeds 15, 20 - 22, 1967).

According to the Colby formula, the expected disease infection (E_1) in % of the untreated control can be calculated as follows:

5
$$E_1 = \frac{X_1 \cdot Y_1}{100}$$

wherein

X_1 = % disease infection after use of the fungicide I
at an application amount of x kg/ha,

10 Y_1 = % disease infection after use of the fungicide II
in an application amount of y kg/ha,

E_1 = the expected disease infection after use of the
combination of the fungicides I + II at an applica-
tion amount of X + Y kg/ha.

15 If the infection observed is less than that calculated,
the action of the combination is more than additive; that
is to say a synergistic effect exists.

The results summarized and labeled with a cross in Table
2 and 3 demonstrate a synergistic relationship of compon-
ent II (pyrazophos) and component Ib (myclobutanil).

Table 2

	Concentration of pyrazophos (ppm) of active compound	Concentration of myclobutanil (ppm) of active compound	Mixing ratio	Disease infection in % of the untreated control observed	Disease infection in % expected
250	-	-	-	0	-
2.5	-	-	-	31	-
0.1	-	-	-	100	-
-	0.125	-	-	100	-
-	0.250	-	-	100	-
Mixtures					
250	+	0.125	2000 : 1	5	0
250	+	0.250	1000 : 1	5	0
2.5	+	0.125	20 : 1	27	31 (X)
2.5	+	0.250	10 : 1	29	31
0.1	+	0.125	0.8 : 1	92	100 (X)
0.1	+	0.250	0.4 : 1	60	100 (X)

Example 3

Cucumber plants (Delikatess variety) in the 2-leaf stage were treated with the individual active compounds or active compound combinations shown in Table 3. After the coating of active compound had dried out, the plants were heavily inoculated with a conidia suspension of barley mildew (*Erysiphe cichoracearum*) and then placed in a greenhouse at 22°C and 80% relative atmospheric humidity. They were evaluated 10 days after the inoculation. The degree of infection is expressed in % of infected leaf area, based on the untreated infected control plants (= 100% infection). The procedure in Example 2 was used for calculation of synergistic effects.

Table 3

Concentration of pyrazophos ppm of active compound	Concentration of myclobutanil ppm of active compound	Mixing ratio	Disease infection in % of the untreated control observed	expected
0.500	-	-	25	-
0.250	-	-	30	-
0.125	-	-	60	-
-	0.0005	-	28	-
-	0.0010	-	17	-
-	0.0020	-	9	-
Mixtures				
0.500	+	1000 : 1	3	7 (X)
0.500	+	500 : 1	2	4 (X)
0.500	+	250 : 1	2	2.3
0.250	+	500 : 1	5	8.4 (X)
0.250	+	250 : 1	4	5
0.250	+	125 : 1	3	3
0.125	+	250 : 1	12	17 (X)
0.125	+	125 : 1	4	10 (X)
0.125	+	62.5 : 1	3	5.4 (X)

~~XXXXXXXXXXXX~~

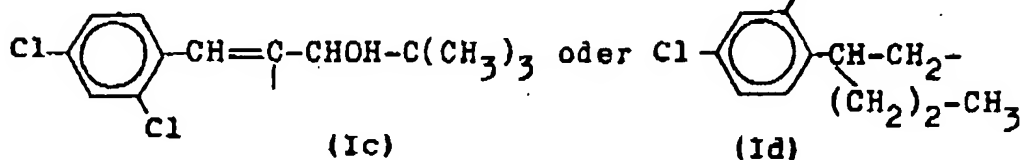
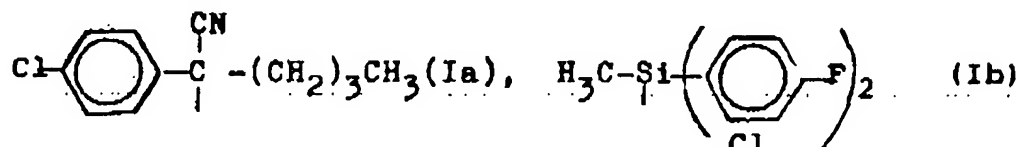
THE CLAIMS DEFINING THE INVENTION ARE AS FOLLOWS:

1. A fungicidal composition which contains an active compound of the formula I



in which

R denotes a radical of the formulae Ia to Id:



in combination with another fungicide selected from the group comprising pyrazophos, binapacryl, fentin acetate, fentin hydroxide, ethirimol, dimethirimol, bupirimat, guazatine, sulfur, dithianon and dodine.

2. A fungicidal composition as claimed in claim 1, which contains a combination of the active compounds myclobutanil and pyrazophos.
3. A fungicidal composition as claimed in either of claims 1 or 2, in which the active compound ratio of the compound of the formula I to the combination partner varies in the range between 1 : 0.0005 and 1 : 10.
4. Method of combating harmful fungi, which comprises

applying an effective amount of a composition as claimed in claims 1 to 3 to the plants or their cultivation areas.

DATED THIS 19th day of March, 1987.

HOECHST AKTIENGESELLSCHAFT

EDWD. WATERS & SONS,
PATENT ATTORNEYS,
50 QUEEN STREET,
MELBOURNE. VIC. 3000.

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☒ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☐ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.